

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NEW YORK CITY DISTRICT COUNCIL OF
CARPENTERS PENSION FUND, NEW YORK CITY
DISTRICT COUNCIL OF CARPENTERS WELFARE
FUND, NEW YORK CITY DISTRICT COUNCIL OF
CARPENTERS ANNUITY FUND, and NEW YORK
CITY DISTRICT COUNCIL OF CARPENTERS
APPRENTICESHIP, JOURNEYMAN RETRAINING,
EDUCATIONAL AND INDUSTRY FUND, BY THEIR
TRUSTEES FRANK SPENCER, DOUGLAS J.
McCARRON, JOHN BALLANTYNE, PAUL TYZNAR,
PAUL O'BRIEN, KEVIN M. O'CALLAGHAN,
CATHERINE CONDON, DAVID MEBERG, BRYAN
WINTER, and JOHN DeLOLLIS,

11-Civ-5474

ANSWER

Plaintiffs,

-against-

MICHAEL FORDE, JOHN GREANEY, JOSEPH
OLIVIERI, BRIAN HAYES, MICHAEL MITCHELL,
FINBAR O'NEILL, K.A.F.C.I., MICHAEL BRENNAN,
TURBO ENTERPRISES, INC., TERENCE BUCKLEY,
PITCOHN CONSTRUCTION ENTERPRISES, INC.,
GERARD McENTEE, PYRAMID ASSOCIATES
CONSTRUCTION CORP., JAMES DUFFY,
EMB CONTRACTING CORP., MICHAEL BATALIAS,
ELISAVET BATALIAS, MATTHEW KELLEHER,
BRIAN CARSON, JOSEPH RUOCCO,
JOHN STAMBERGER, and MICHAEL VIVENZIO,

Defendants.

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Defendant TERENCE BUCKLEY, by his attorney, NIALL MAC

GIOLLABHUÍ, LAW OFFICE OF MICHAEL G. DOWD, answers the First Amended

Complaint of Plaintiffs as follows:

1. Defendant BUCKLEY denies the allegations pertaining to him in
paragraphs 1, 47-48, 51, 58-66, 72, 78, 95, 128, 152-164, and 167-176, inclusive. Defendant

BUCKLEY denies knowledge or information sufficient to form a belief with respect to the truth of the remaining allegations of fact set forth in these paragraphs.

2. Defendant BUCKLEY neither admits nor denies the allegations set forth in paragraphs 2-4, 150-151, and 166, inclusive, as they are not allegations of fact.

3. Defendant BUCKLEY denies knowledge or information sufficient to form a belief with respect to the truth of the allegations set forth in paragraphs 5-24, 29-46, 49-50, 52-57, 67-71, 73-77, 79-94, 96-118, 124-148, 178-182, 184-188, 190-194, 196-200, 202-206, 208-213, 215-220, 222-227, 229-234, 236-241, and 243-248, inclusive.

4. Defendant BUCKLEY denies the allegations set forth in paragraphs 26-28, and 119-123, inclusive.

5. Defendant BUCKLEY denies the allegations set forth in paragraphs 149, 165, 177, 183, 189, 195, 201, 207, 214, 221, 228, 235, and 242, except as otherwise pleaded herein.

FIRST AFFIRMATIVE DEFENSE

6. Plaintiffs' action is barred by the statute of limitations.

SECOND AFFIRMATIVE DEFENSE

7. Plaintiffs' action is barred by the grievance procedure, including arbitration, mandated by the applicable collective bargaining agreements.

THIRD AFFIRMATIVE DEFENSE

8. Plaintiffs' action is barred by the doctrine of economic duress.

FOURTH AFFIRMATIVE DEFENSE

9. Plaintiffs' action is barred by the doctrine of estoppel.

FIFTH AFFIRMATIVE DEFENSE

10. The Court lacks jurisdiction over Defendant BUCKLEY.

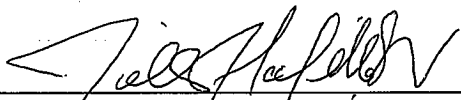
SIXTH AFFIRMATIVE DEFENSE

11. Service of process upon Defendant BUCKLEY was insufficient.

Defendant BUCKLEY demands a trial by jury of all claims pursuant to Federal Rule of Civil Procedure 38.

WHEREFORE, Defendant BUCKLEY prays that the Court dismiss the Complaint and enter judgment in his favor, and that he be awarded such other and further relief as this Court deems just and proper.

Dated: New York, New York
July 17, 2012



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